

01-08-02

N Sector 1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL
FORM

to be used for all correspondence after filing)
Total number of Pages in this submission

Application Number	09/847,947
Filing Date	5/2/2001
First Named Inventor	Ainsworth
Group Art Unit	3731
Examiner Name	Not Yet Assigned
Attorney Docket No.	CSI-2016CP1

Assistant Commissioner for Patents
Washington, D.C. 20231

ENCLOSURES (check all that apply)

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> FEE TRANSMITTAL FORM(1PG)
<input checked="" type="checkbox"/> FEE ATTACHED (\$2,200)
<input type="checkbox"/> AMENDMENT/RESPONSE
<input type="checkbox"/> AFTER FINAL
<input type="checkbox"/> AFFIDAVITS' DECLARATION(S)

<input checked="" type="checkbox"/> EXTENSION OF TIME(2PGS)

<input type="checkbox"/> EXPRESS ABANDONMENT REQUEST

<input type="checkbox"/> INFORMATION DISCLOSURE
STATEMENT W/1449

<input type="checkbox"/> CERTIFIED COPY OF PRIORITY
DOCUMENT(S)
<input checked="" type="checkbox"/> RESPONSE TO MISSING PARTS/
INCOMPLETE APPLICATION(2PGS)
<input type="checkbox"/> RESPONSE TO MISSING PARTS
UNDER 37 CFR 1.52 OR 1.53
<input checked="" type="checkbox"/> COPY OF MISSING PARTS
FORM(2PGS)

<input type="checkbox"/> ISSUE FEE TRANSMITTAL
<input type="checkbox"/>
<input type="checkbox"/> | <input checked="" type="checkbox"/> ASSIGNMENT AND
RECORDAL SHEET(3PGS)
<input type="checkbox"/> DRAWING(S)
<input type="checkbox"/> LICENSING-RELATED
PAPERS
<input type="checkbox"/> PETITION ROUTING SLIP
(PTO/SB/60) AND
ACCOMPANYING
PETITION)
<input type="checkbox"/> TO CONVERT A
PROVISIONAL
APPLICATION
<input checked="" type="checkbox"/> POWER OF ATTORNEY,
REVOCATION CHANGE OF
CORRESPONDENCE
ADDRESS(2PGS)
<input type="checkbox"/> TERMINAL DISCLAIMER

<input type="checkbox"/> SMALL ENTITY STATEMENT
<input type="checkbox"/> REQUEST FOR REFUND | <input type="checkbox"/> AFTER ALLOWANCE
COMMUNICATION TO GROUP
<input type="checkbox"/> APPEAL COMMUNICATION TO BOARD
OF APPEALS AND INTERFERENCES

<input type="checkbox"/> APPEAL COMMUNIIATION TO GROUP
(APPEAL NOTICE, BRIEF, REPLY BRIEF)

<input type="checkbox"/> PROPRIETARY INFORMATION

<input type="checkbox"/> STATUS LETTER

<input checked="" type="checkbox"/> ADDITIONAL ENCLOSURE(S)
(PLEASE IDENTIFY BELOW):
Subst spec(37pgs) With Subst Dwgs(22pgs)
Substitute Specification a & Dwgs Submittal(1pg)
Preliminary Amendment & Priority Claim(2pgs)
37 CFR §3.73(b)Certificate & Assignmt Cpy(4pgs)
Declaration(3pgs)
Return Post Card Receipt |
|---|---|---|

REMARKS:

LAW OFFICE OF HARRY J. MACEY
P.O. BOX 475845
SAN FRANCISCO, CA 94147-5845
TELEPHONE: (415) 929-2544
FACSIMILE: (415) 929-2544

DATE: DECEMBER 31, 2001

BY:

HARRY J. MACEY, REG. NO. 32,818

Certificate of Mailing by "Express Mail": Express Mail Label No.: EU012590582US Date of Deposit: December 31, 2001

I hereby certify that this correspondence and fee are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: BOX 475845, Assistant Commissioner for Patents, Washington, D.C. 20231

Name: Harry Macey

Signature:

TYPE JCC26 OFFICE
DEC 09 2001
PATENT & TRADEMARK OFFICE

TYPE JCC26 OFFICE
DEC 31 2001
PATENT & TRADEMARK OFFICE

Patent Fees are subject to annual revision
(fees as of 10/1/01)

Applicant claims small entity status

TOTAL AMOUNT OF PAYMENT **\$2,200**

Complete if Known

Application Number **09/847,947**

Filing Date **5/2/2001**

First Named Inventor **Ainsworth**

Examiner Name **Not Yet Assigned**

Group Art Unit **3731**

Attorney Docket No. **CSI-2016CP1**

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

50-1947

LAW OFFICE OF HARRY J. MACEY

Deposit Account Number & Deposit Account Name

☒ Charge any additional fees required under 37 CFR §§ 1.16 and 1.17

2. ☒ Payment Enclosed:
☒ Check ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

LARGE ENTITY		SMALL ENTITY		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility	370
106	330	206	165	Design	
107	510	207	255	Plant	
108	740	208	370	Reissue	
114	160	214	80	Provisional	
SUBTOTAL (1)					\$ 370

2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims	113 - 20	= 93	x 9 = \$ 837
Independent	7 - 3	= 4	x 42 = \$ 168
Multiple Dep.			= \$

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claim in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue ind. claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) \$ 1,375				

FEE CALCULATION (continued)

3. Additional Fees (*Reduced By Basic Filing Fee Paid)

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	65
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2520	147	2520	Filing a request for re-examination	
112	920*	112	920*	Req. publ. of SIR prior to Ex. Action	
113	1840*	113	1840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within 1 st mo.	
116	400	216	200	Extension for reply within 2 nd mo.	
117	920	217	460	Extension for reply within 3 rd mo.	
118	1440	218	720	Extension for reply within 4 th mo.	720
128	1960	228	980	Extension for reply with 5 th mo.	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	160	Request for oral hearing	
138	1510	138	1510	Pet to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1510	241	640	Petition to revive - unintentional	
142	1280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petition related to provisional apps.	
126	180	126	180	Submission of IDS Statement	
581	40	581	40	Recording each patent assignment per property (x no. of properties)	40
146	740	246	370	Filing a submission after final rej.	
149	740	249	370	For each add'l. invention to be examined (37 C.F.R. § 1.129(b))	
179	740	279	370	Req. for Continued Examination (RCE)	
Other fee (specify):					
SUBTOTAL (3)					\$ 825

SUBMITTED BY

Law Office of Harry J. Macey
P.O. Box 475845
San Francisco, CA 94147-5845
Telephone: (415) 929-2544
Facsimile: (415) 929-2544

Date: December 31, 2001
By: Harry J. Macey
Harry J. Macey, Reg. No. 32,818

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

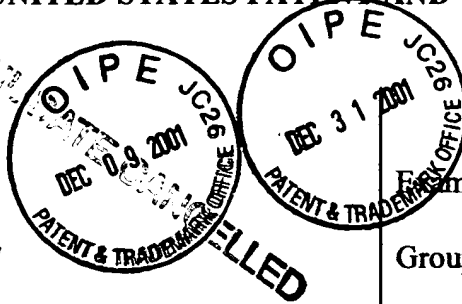
In re Application for:

Ainsworth, et al.

Serial No.: 09/847,947

Filing Date: 5/2/2001

For: SELF-CLOSING SURGICAL CLIP FOR
TISSUE



Examiner: Not Yet Assigned

Group Art Unit: 3731

SUBSTITUTE SPECIFICATION AND DRAWINGS SUBMITTAL

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the request in the Notice to File Missing Parts dated June 29, 2001,
Applicants submit a substitute specification (37 pages) and substitute drawings (22 pages) for the
above-referenced application. No new matter is believed to be introduced by way of these
documents.

Respectfully submitted,

Date: 12-31-01

By: Harry J. Macey
Harry J. Macey
Reg. No. 32,818

Law Office of Harry J. Macey
P.O. Box 475845
San Francisco, CA 94147-5845
Telephone: (415) 929-2544
Facsimile: (415) 929-2544

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Certificate of Mailing by "Express Mail"

Express Mail Label No.: EU012590582US Date of Deposit: December 31, 2001

I hereby certify that this correspondence and fee are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: BOX MISSING PARTS, Assistant Commissioner for Patents, Washington, D.C. 20231

Name: Harry Macey Signature: *Harry Macey*

In re Application for:

Ainsworth et al.

Serial No.: 09/847,947

Filing Date: 5/2/2001

For: SELF-CLOSING SURGICAL CLIP FOR
TISSUE

Examiner: Not Yet Assigned

Group Art Unit: 3731

RESPONSE TO NOTICE TO FILE MISSING PARTS

BOX: Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This paper is submitted in response to the Notice to File Missing Parts dated June 29, 2001 in connection with the above-identified application. A response to this Notice was originally due on August 29, 2001. A Request for Extension of Time is being filed herewith to extend the time to respond to December 31, 2001 (December 29, 2001 falls on a Saturday).

Applicant submits herewith the following documents:

- ☒ 1. Declaration signed by the inventor(s) and the surcharge of \$65.
- ☒ 2. Power of Attorney and Prosecution by Assignee
- ☒ 3. Certificate under 3.73(b) with copy of Assignment
- ☒ 4. Copy of the Notice to File Missing Parts dated 6/29/01
- ☐ 5. Verified English translation of the application, along with the \$130.00 fee
- ☒ 6. Preliminary Amendment and Priority Claim
- ☒ 7. Substitute Specification and Drawings Submittal
- ☒ 8. Substitute specification (37 pages) and substitute drawings (22 pages)
- ☒ 9. Check for \$2,200 (which covers the surcharge, filing, claims and extension fee for this response and an assignment recordation fee as specified in the Fee Transmittal Sheet)

- ☐ The Commissioner has already been authorized to charge fees in this application to Deposit Account No. 50-1947*.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to **Deposit Account No. 50-1947**, referencing attorney docket no. CSI-2016CP1. A duplicate copy of this sheet is enclosed.

CONCLUSION

In the unlikely event that the transmittal letter is separated from this document and/or the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 50-1947**, referencing attorney docket no. CSI-2016CP1.

Respectfully submitted,

Date: 12-31-01

By: Harry J. Macey
Harry J. Macey
Reg. No. 32,818

Law Office of Harry J. Macey
P.O. Box 475845
San Francisco, CA 94147-5845
Telephone: (415) 929-2544
Facsimile: (415) 929-2544

CSI 2016-LP1



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/847,947	05/02/2001	Stephen Ainsworth	800195-64

COUDERT BROTHERS
4 Embarcadero Center, Suite 3300
San Francisco, CA 94111



CONFIRMATION NO. 6172

FORMALITIES LETTER



OC000000006242764

Date Mailed: 08/29/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/14/2002 AGOITOM 00000022 09847947

FILED UNDER 37 CFR 1.53(b)

01 FC 201	370.00 OP
02 FC 205	65.00 OP
03 FC 203	837.00 OP
04 FC 202	168.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$997.
 - \$837 for 93 total claims over 20.
 - \$160 for 4 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1417.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
 - Papers contain improper margins. *Each sheet must have a left margin of at least 2.5 cm (1") and top, bottom and right margins of at least 2.0 cm (3/4")*
- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each

sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

A copy of this notice MUST be returned with the reply.

MTC

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

10/10/2010 10:10:10 AM



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

Ainsworth et al.

Serial No.: 09/847,947

Filing Date: 5/2/2001

For: SELF-CLOSING SURGICAL CLIP FOR
TISSUE



Examiner: Not Yet Assigned

Group Art Unit: 3731

CERTIFICATE UNDER 37 CFR § 3.73(b)

Coalescent Surgical, Inc., a **Delaware** corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor of the parent application identified above.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assigned as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel
_____, Frame _____, or for which a copy
thereof is attached.

2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel
_____, Frame _____, or for which a copy
thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ A copy of the assignment is attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

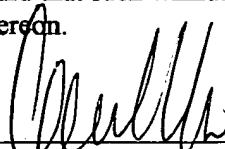
I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with

the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United State Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: _____

11/28/01

By: _____



Laurent Schaller

Vice President, Research and
Development